

## REMARKS/ARGUMENTS

### Regarding Amendments

In the specification, the "Cross Reference to Related Applications" section has been added to indicate the status of referenced applications. These corrections are of a clerical nature and do not add "new matter".

Claims 1-3 are now pending.

No claims stand allowed.

The amendment also contains minor changes of a clerical nature.

No "new matter" has been added by the amendment.

### The 35 U.S.C. §102 Rejection

Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Tabuki<sup>1</sup>, among which claims 1-3 are independent claims.<sup>2</sup> This rejection is respectfully traversed.

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<sup>1</sup> USP 5,706,427.

<sup>2</sup> Office Action dated September 10, 2003, ¶ 6.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.<sup>3</sup> The identical invention must be shown in as complete detail as is contained in the ... claim.<sup>4</sup>

### Claim 1

Claim 1 recites:

A method for enhanced quality of identification in a data communications network, the method comprising:  
obtaining a user identifier, said user identifier comprising an identification server ID and an identification randomized ID, said identification server ID identifying an identification server peer group, said identification server peer group comprising at least one server that maintains a mapping between an identification randomized ID and a user authentication peer group capable of authenticating a user associated with a particular randomized ID, and a mapping between said identification randomized ID and user information;  
requesting authorization of said user by presenting said user identifier to a corresponding identification server peer group, each server in said identification server peer group configured to search for one or more matching entries including said randomized ID.

The Examiner states:

... Tabuki discloses the invention substantially as claimed. Tabuki discloses a method for enhanced quality of identification in a data communication network (Tabuki teaches in summary a method for authenticating users on networks that includes an application server that requests a user host to send authentication data to a verification server) [see Tabuki, abstract, Col. 2, lines 24-39], the method comprising: obtaining a user identifier, said user identifier comprising an identification server ID (verification server name) and an identification randomized ID (Sys Uniq Key), (Tabuki teaches utilizing a Sys Uniq Key which is a system key assigned to each user, and is unique in the verification server's table. As well as utilizing the user's Sys Uniq Key, the system of Tabuki further teaches this key is utilize in combination with the verification server name), [see Tabuki, Col. 5, lines 30-60 and Col. 6, lines 23-2'7], said identification server ID identifying an identification server peer group (Tabuki further teaches utilizing the verification server's name in addition to the Sys Uniq key when there is a plurality of different verification servers), [see Tabuki, Col. 6, lines 4-38], said identification server peer group comprising

<sup>3</sup> *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).

<sup>4</sup> *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, M.P.E.P. §2131.

at least one server that maintains a mapping between an identification randomized ID and a user authentication peer group capable of authenticating a user associated with a particular randomized ID and a mapping between said identification randomized ID and user information (Tabuki teaches that a verification servers have an internal database with identification data and valid authentication data of user hosts (user authentication peer group)), [see Tabuki, Col. 4, lines 22-35, Col. 5, lines 21-38]; requesting authorization of said user by presenting said user identifier to a corresponding identification server peer group (Tabuki again teaches identification and authentication of the user is obtained by a combination of the Sys Uniq and verification server name), [see Tabuki, Col. 6, lines 19-37], each server in said identification server peer group (plurality of verification servers) configured to search for one or more matching entries including said randomized ID (Tabuki teaches that authentication data of the user is sent to a verification server, in which the verification server matches authentication data of the user by searching within a relational database), [see Tabuki, Col. 3, lines 5-22 and Col. 4, lines 33-45] ...<sup>5</sup>

The Applicants respectfully disagree. Tabuki teaches a method for authenticating users on a network where a verification server performs *both* identification and authentication functions.<sup>6</sup> Whereas claim 1 recites an *identification* server peer group to perform identification functions and a separate user *authentication* peer group to perform user authentication functions. The Examiner is reminded that the mere absence from a reference of an explicit requirement of a claim cannot be reasonably construed as an affirmative statement that the requirement is in the reference.<sup>7</sup> For this reason, the 35 U.S.C. § 102(b) rejection of claim 1 is unsupported by the art and should be withdrawn.

Additionally, the Examiner attempts to equate the identification randomized ID of claim 1 with Tabuki's Sys Uniq key.<sup>8</sup> However, Tabuki does not disclose a *randomized* Sys Uniq key. For this additional reason, the 35 U.S.C. § 102(b) rejection of claim 1 is unsupported by the art and should be withdrawn.

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<sup>5</sup> Office Action ¶ 7.

<sup>6</sup> Tabuki col. 2 lines 29-34.

<sup>7</sup> *In re Evanega*, 829 F.2d 1110, 4 USPQ2d 1249 (Fed. Cir. 1987).

The Examiner also attempts to equate the identification server peer group of claim 1 with the combination of Tabuki's verification server name and the Sys Uniq key.<sup>9</sup> However, Tabuki's verification server name, either alone or in combination with a Sys Uniq key, does not identify an identification server peer *group*. Rather, the combination of verification server name and Sys Uniq key in Tabuki uniquely identifies a user where multiple verification servers are used.<sup>10</sup> The Applicants respectfully submit that teaching using a verification server name and a sys uniq key to identify a particular user when there is more than one verification server does not equate to teaching an ID that identifies an identification server peer *group*. For this additional reason, the 35 U.S.C. § 102(b) rejection of claim 1 is unsupported by the art and should be withdrawn.

Claim 1 also recites an identification server peer group comprises one or more servers that maintain:

- (1) A mapping between an identification randomized ID *and a user authentication peer group capable of authenticating a user associated with a randomized ID*; and
- (2) A mapping between the identification randomized ID and user information.

Whereas the Examiner merely states Tabuki teaches verification servers have an internal database with identification data and valid authentication data of user hosts. The Applicants respectfully submit the Examiner has not addressed the claimed limitations in claim 1. Tabuki does not teach a mapping between an identification randomized ID and a user authentication peer group capable of authenticating a user associated with a randomized ID because the verification

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<sup>8</sup> Office Action ¶ 7.

<sup>9</sup> Office Action ¶ 7.

<sup>10</sup> Tabuki col. 3 lines 25-26.

server of Tabuki alone performs *both* identification and authentication operations.<sup>11</sup> For this additional reason, the 35 U.S.C. § 102(b) rejection of claim 1 is unsupported by the art and should be withdrawn.

### Claims 2 and 3

Claim 2 is a program storage device corresponding to method claim 1 and thus includes substantially the same distinctive feature as claim 1. Claim 3 is a means-plus-function claim corresponding to method claim 1 and thus includes substantially the same distinctive feature as claim 1. Claim 1 being allowable, claims 2 and 3 must also be allowable.

Accordingly, it is respectfully requested that the 35 U.S.C. § 102(b) rejection of claims based on Tabuki be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

### Request for Allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

### Request for Entry of Amendment

Entry of this Amendment will place the Application either in condition for allowance, or at least, in better form for appeal by narrowing any issues. Accordingly, entry of this Amendment is appropriate and is respectfully requested.

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<sup>11</sup> Tabuki col. 2 lines 29-34.

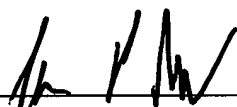
Appl. No. 10/014,823  
Amdt. dated: January 12, 2004  
Reply to Office Action of September 10, 2003

Docket No. SUN-P6991  
(811173-000223)

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,  
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Dated: January 12, 2004

  
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